

## REMARKS/ARGUMENTS

Applicants' representative would like to thank the Examiner for entertaining arguments made during the telephonic interview of April 26, 2005. During the interview, the Examiner indicated that the arguments would be considered when entered into the record, and that the arguments appeared persuasive relevant to the previous Office Action dated February 11, 2005. In particular, aspects of the present invention relating to the definition of an "asset" and use of URLs/identifiers uniquely associated with those assets were discussed during the interview. Those aspects related to assets and associated URLs/identifiers have been particularly pointed out in the claims as amended herein.

The rejections presented in the Office Action dated February 11, 2005 (hereinafter Office Action) have been considered. Claims 1,2, 4-7, 10-32, and 34-49 remain pending in the application. Claims 1, 2, 7, 10, 12-31, and 34-40 have been amended. Reconsideration of the pending claims and allowance of the application in view of the present response and amendment is respectfully requested.

In the Office Action dated February 11, 2005, Claims 1, 2, 4-7, 10-32 and 34-40 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,950,173 issued to Perkowski. Applicants respectfully submit that Claims 1,2, 4-7, 10-32, and 34-40 in their present condition are allowable over Perkowski.

To anticipate a claim under 35 U.S.C. 102(b), the cited reference must teach every element of the claim. According to M.P.E.P. § 2131A, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference, and the identical invention must be shown in as complete detail as is contained in the claim. Applicants respectfully submit that Perkowski does not teach every element of at least Applicants' independent claims, and therefore fails to anticipate the currently pending claims.

With respect to the rejected independent Claims 1, 7, 12, 21, 30, 34 and 39, amendments have been made to show that asset items may be tracked using an identifier or URL that is unique to the asset item. To this end, the term "asset item" has been used in the amended claims in order to clarify that the invention is directed to tracking the items themselves that may be passed between parties (e.g., p. 5, lines 24-26 of the present

specification), versus only classes or families of items. Tracking of individual items is not taught or otherwise disclosed by Perkowski. Perkowski identifies products by their Universal Product Code (UPC), and/or, by trademark, service mark, and/or company name (col. 18, lines 36-40, 49-50). Generally, Perkowski is directed to tracking consumer demand that is related to types of products in the supply chain (col. 11, lines 9-12) and providing consumer information related to those types of products by use of the UPC code on those products (col. 11, lines 24-29). Information concerning Perkowski's products does not relate to individual items themselves, but rather relates to a family of products that share the same product code. Thus, for at least the reason that Perkowski does not teach tracking of asset items, Perkowski fails to anticipate the invention as claimed.

Additionally, independent Claims 1, 7, 12, 21, 30, 34 and 39 are directed to an identification code or URL associated with the item that is unique to the asset item. The identifier or URL is also associated with data related to the item. In an example described in the present specification, a "pump 302 is given a unique identification code." (p. 10, lines 27-28). The pump supplier stores data relating to that particular pump in association with the unique identifier. (p. 10, lines 28-29). Note that this pump refers to an individual item, because this example transaction illustrates how a customer can determine information specific to the item at hand, such as whether the pump in his refrigerator is under warranty. (p. 10, lines 4-5). Uniquely associating an identifier with an item is not taught or otherwise disclosed by Perkowski. The system of Perkowski is not capable of providing information unique to a particular item, such as whether the item is under warranty. This is because Perkowski operates at product line granularity, as exemplified by Perkowski's use of UPC codes to identify the items. Perkowski fails to teach an identifier or URL that is unique to the asset item and that references other data associated with the asset item, and thus Perkowski fails to anticipate independent Claims 1, 7, 12, 21, 30, 34 and 39.

The Applicants also respectfully submit that, in addition to those features described above, independent Claim 7 includes other features not taught by Perkowski. Claim 7 is directed to a first asset item that is a constituent of a second asset item. A first and second URL are uniquely associated with the respective first and second asset items. These URLs are also associated with data pertaining to the respective items, and the URL's are associated with

each other. As examples in the present specification illustrate, these URLs may be used to provide inter-linked data related to assemblies of asset items, such as a particular service contract associated with the customer's refrigerator (p. 16, lines 20-26) or a particular pump contained within the refrigerator (p. 16, lines 26-27). Perkowsky fails to teach or otherwise disclose using URLs to illustrate assembly/constituent relations between items. Perkowsky's examples are directed to product data such as advertising/promotion, product specifications, updates/recalls, ordering/sales, etc (col. 20, lines 6-42). None of these examples of product data are directed to illustrating assembly-constituent relationships between the items associated with the data. For this reason, Perkowsky further fails to anticipate independent Claim 7.

Applicants thus respectfully submit that independent Claims 1, 7, 12, 21, 30, 34 and 39 are not anticipated by Perkowsky, and are in condition for allowance. Dependent Claims 2, 4-6, 10-11, 13-20, 22-29, 31-32, 35-38, and 40, which are dependent from independent Claims 1, 7, 12, 21, 30, 34, and 39 respectively, were also rejected under 35 U.S.C. §102(b) as being unpatentable over Perkowsky. The particular limitations in these claims were not specifically addressed in the Office Action, and the Applicants respectfully submit that Perkowsky fails to teach the features identified in these claims. To the extent that some of the dependent claim features were addressed, the Applicants do not acquiesce with the particular rejections to these dependent claims, but in any event it is believed that these rejections are moot in view of the remarks made in connection with independent Claims 1, 7, 12, 21, 30, 34, and 39. These dependent claims include all of the limitations of the base claims and any intervening claims, and recite additional features which further distinguish these claims from the cited references. Therefore, dependent Claims 2, 4-6, 10-11, 13-20, 22-29, 31-32, 35-38, and 40 are also in condition for allowance.

**CONCLUSION**

Applicants respectfully submit that the pending claims are patentable over the cited prior art of record, and that the application is in condition for allowance. If the Examiner believes it necessary or otherwise helpful, the undersigned attorney of record may be contacted at (651) 686-6633 to discuss any issues related to this case.

Respectfully submitted,

Date: 5/10/05

By

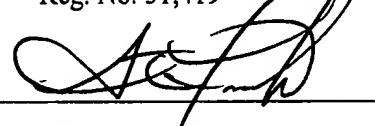


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